

REMARKS

Claims 16-29 are pending in the above-identified application, and were rejected. With this Amendment, claim 30 was added. Accordingly, claims 16-30 are at issue in the above-identified application.

I. Objection To Specification

The Examiner objected to the title of the invention as not descriptive. In response, Applicant has amended the title. Accordingly, Applicant respectfully requests withdrawal of this objection.

II. 35 U.S.C. § 102 Anticipation Rejection of Claims

Claims 16-26, 28, and 29 were rejected under 35 U.S.C. § 102(b) as being anticipated by Hofstetter et al. (U.S. Patent No. 6,136,623). Applicant respectfully traverses this rejection.

Claim 16 includes a supporting base with insulation. Contrary to claim 16, Hofstetter et al. discloses a red/IR side by side laser structure 100 on a blue laser structure 200 (see Figs. 6 and 7, and col. 9, lines 18-20). The red/IR side by side laser structure 100 has an n-type GaAs substrate 102 (see col. 3, lines 5-9), and the blue laser structure has a sapphire substrate 202 (see col. 6, lines 20-21). Hofstetter et al. neither discloses nor suggests a support base with insulation upon which the first light emitting element is provided, as required by claim 16. Accordingly, claim 16 and claims 17-26 that depend from claim 16 are allowable over Hofstetter et al.

For reasons similar to those discussed above with regard to claim 16, Applicant respectfully submits that independent claims 28 and 29 are also allowable over Hofstetter et al. Accordingly, Applicant respectfully requests withdrawal of this rejection.

III. 35 U.S.C. § 103 Obviousness Rejection of Claims

Claims 27 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Hofstetter et al. (U.S. Patent No. 6,136,623) in view of Kukimoto et al. (U.S. Patent No. 5,140,385). Applicant respectfully traverses this rejection.


As discussed above, Hofstetter et al. does not disclose or suggest a support base with insulation upon which the first light emitting element is provided. Thus, it would not have been obvious to one of ordinary skill in the art at the time the invention was made to use the semiconductor layer of Kukimoto in the device of Hofstetter et al. to derive claim 27. Accordingly, Applicant respectfully requests withdrawal of this rejection.

IV. Conclusion

In view of the above amendments and remarks, Applicant submits that all claims are clearly allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

Respectfully submitted,

Dated: October 14, 2004

By: 
Marina N. Saito
Registration No. 42,121
SONNENSCHN NATH & ROSENTHAL LLP
P.O. Box 061080
Wacker Drive Station, Sears Tower
Chicago, Illinois 60606-1080
(312) 876-8000